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RUSSIA'S PARLIAMENTARY ELECTION
AND CONSTITUTIONAL REFERENDUM

December 12, 1993

Moscow, Shakhovskoe, Tula, Tver, Vladimir,
Krasnodar, Novorossisk

Prepared by the Staff of the
Commission on Security and Cooperation in Europe

January 1994

This report is based on a Helsinki Commission staff delegation to Russia to observe the December 12, 1993 parliamentary election and constitutional referendum. Because of the importance of the event, and because charges had been leveled of improprieties and unfair access to the media, the Commission sent five staff members to Russia to observe the process for a period of more than two weeks. Michael Ochs and Orest Deychak went to Russia two weeks before the voting to monitor the pre-election campaign. The Commission's Senior Advisor, David Evans, and staff members John Finerty and Heather Hurlburt, arrived subsequently and remained through December 12, when they monitored balloting in various cities and regions.

Apart from Moscow, Commission staff visited: Shakhovskoe, a center of innovative privatization efforts, as well as smaller rural communities in Moscow oblast; Tula and Vladimir (industrial cities several hours' drive from Moscow); Tver (a regional capital in the agricultural-industrial heartland north of Moscow); Krasnodar (the regional center of a largely rural area in southern Russia); Novorossisk (a Black Sea port town), and many communities between Krasnodar and Novorossisk. Commission staff had previously observed voting in Krasnodar (during the March 1990 Supreme Soviet election) and Shakhovskoe (during the April 1993 referendum), and these return visits allowed them to draw comparisons about local problems, political trends and societal attitudes over the course of several years. In all the above locations, Commission staff interviewed election officials, representatives of political parties, candidates and local officials.

The Helsinki Commission would like to thank the U.S. Embassy in Moscow for its support and assistance during the staff delegation's visit. The Commission would also like to thank the National Democratic Institute for International Affairs, which also sent observers to Krasnodar, for making logistical arrangements for the trip.

The Commission wishes to express appreciation as well to the CSCE Office of Democratic Institutions and Human Rights (ODIHR) and to the Swedish Embassy in Moscow, representing the CSCE Chair-in-Office, for their support and assistance to the many observers of the Russian election and referendum.

SUMMARY

- On December 12, 1993, Russia's voters went to the polls in a parliamentary election and constitutional referendum amid widely reported apathy and cynicism. The Central Election Commission later reported that voter turnout was only 54 percent, thereby passing the 50 percent minimum for the referendum to be valid.
- Despite a number of problems and irregularities, both during the campaign and the voting, the Helsinki Commission believes that Russian voters were able to express their political will freely and fairly. The Russians have made genuine progress in bringing their electoral procedures into conformity with international standards, and the election itself represents a significant step in the on-going process of democratization in Russia.
- The election and referendum aimed at normalizing politics in Russia after a year of unrelenting confrontation between the executive and legislative branches. This struggle had culminated in President Boris Yeltsin's September dissolution of the previous parliament and the military crushing of an attempted coup by parliament's supporters in October. The referendum was intended to provide a new basic law for Russia that guarantees human rights and the right to private property, creates a strong presidency and delineates powers between the different branches of government. Yeltsin and his supporters hoped that the new bi-cameral parliament would continue democratization and support market reforms.
- These hopes were only partly fulfilled. The draft constitution, which Yeltsin saw as the linchpin of his own political position, passed with a reported 58.4 percent of participating voters. Russia now has a strong presidency whose current occupant is committed to continued economic and political reforms. But the president's sweeping powers worry all who wonder about Yeltsin's eventual successor.
- The results of the voting for the 450-seat lower chamber (*Duma*) were a great disappointment for Yeltsin. Hardline communists and their agrarian allies, along with the ultra-nationalists, won over one-third and will constitute a solid anti-reform bloc.
- The election's big surprise was the strong showing by the bogeyman of Russian politics, Vladimir Zhirinovsky. His "Liberal Democratic Party" (LDP) won about one-quarter of the 225 seats allocated by party vote (compared to the 15.4 percent of the pro-Yeltsin Russia's Choice.) Zhirinovsky casually talks about nuclear war, restoration of Russia within Imperial borders, and Russian expansion to the Indian Ocean. He has now gone from a buffoon or demagogue to a political force to be reckoned with.
- Nevertheless, Zhirinovsky's LDP did not "win" the election. With only about 15 percent of the seats in the lower chamber, Zhirinovsky, even if backed by hardline allies, cannot push legislation through overrides by the upper chamber or the president. But he does have a forum for criticizing Yeltsin's policies and mobilizing popular opposition to reform.

● Less is known about the orientation of the parliament's 178-seat upper chamber (Federation Council), although one of Yeltsin's top aides, Vladimir Shumeiko, has been elected chairman of this body. Most analysts assume it will contain fewer opponents of reform, but they will likely push for greater regional privileges than the constitution allows.

● Pro-reform forces accused each other of failing to unite around candidates, leaving the field open for nationalists and communists, and reproached Yeltsin for his lack of involvement in the election campaign. But the results indicate that most voters turned thumbs down on the "shock therapy" launched by Yeltsin and Yegor Gaidar in January 1992.

● With the lower chamber split between supporters and opponents of reform, it is unclear whether the bickering pro-reform blocs and parties can create a solid faction to push forward reforms, or even be able to block attempts by the ultra-nationalists, communists and agrarians to roll them back. Both groups will have to woo independent deputies to gain a majority. Thus far, in procedural voting, the reformers have not always been united, while the LDP, communists and Agrarians have maintained relative party discipline. The *Duma* has elected Ivan Rybkin of the Agrarian Union (an orthodox communist official and member of the former Supreme Soviet) as its speaker.

● The alignment of forces among the various parties and blocs may not matter much, in any case, since parliament as an institution has little power compared to the president. Still, Yeltsin can no longer accuse the parliament of illegitimacy, as he did with the Supreme Soviet. He can compromise with legislators, most of whom reject his economic model, or he can rely on presidential powers to overrule them and risk perennial confrontation. In effect, this would resurrect the unstable *status quo ante*, although he now has the constitutionally sanctioned upper hand in this institutional struggle, and also has the authority to govern by decree without prior legislative approval.

● The parliamentary election was Russia's first in which television, the primary source of information for voters, was critical. State television provided free airtime to all the parties and blocs. But they could also buy airtime, for which media outlets charge high prices, so the role of money in Russia's political campaigns has ballooned to paramount importance.

● The United States and other Western countries now face policy choices: to continue insisting on painful economic reforms in the hope of improving economic conditions for Russia's citizens; or, to accept a slowing of reform to keep Russia's voters from supporting ultra-nationalist domestic and foreign policies, at the cost of heightened inflation and setbacks in the creation of a market economy.

● Yeltsin has promised to defend the interests of Russians in the "near abroad" with "greater energy and decisiveness" in 1994, so the United States will also have to deal with intensified Russian pressure on the other former Soviet republics. The stark choices are: to countenance Russian subversion of its neighbors, for fear of weakening Yeltsin further; or to try to bolster Russia's neighbors against intensified imperial instincts in Moscow.

BACKGROUND

On September 21, 1993, President Boris Yeltsin dissolved the Supreme Soviet, claiming that parliament had "lost its ability to fulfill the main function of a representative body -- the function of harmonizing state interests." He introduced presidential rule for three months prior to elections and issued a decree calling for December 11 and 12 elections to a new Federal Assembly of the Russian Federation.

Yeltsin's move was an attempt to cut through the institutional gridlock of Russian politics. Ever since Mikhail Gorbachev began decentralizing the power held so tightly by the Communist Party in Moscow over all of the republics, territories, peoples and individuals of the Soviet Union, competing claims of legitimacy and authority have shaken the political structure of the USSR and its successor states. The dissolution of the USSR, the formation of the Commonwealth of Independent States (CIS), and the emergence of a sovereign Russian Federation left these basic questions about the source and scope of power unanswered in Russia. Almost two years of "clarification" in the form of institutional struggle and debate over economic reform led to a dead end, graphically represented by the sight of tanks blasting away at the White House, the parliament building, on October 3-4, 1993.

The events of that weekend clarified one thing: President Boris Yeltsin commanded enough support -- at least during that critical Saturday and Sunday -- among certain military and KGB units to defeat in battle the forces holed up in the besieged parliament building. The deputies led by Speaker Ruslan Khasbulatov and Vice-President Alexander Rutskoi, armed veterans of paramilitary units and ethnic conflicts, backers of the communist authorities in Trans-Dniestria, anti-Semites, fascists and anti-Yeltsin groups of all stripes were determined to undo Yeltsin and his policies. They rejected his September 21 dissolution of the Supreme Soviet and call for pre-term parliamentary elections. When Yeltsin announced an October 3 deadline for leaving the White House, they swarmed the police lines surrounding the building and attempted, at Rutskoi's behest, to take over Ostankino (the headquarters of state television) and the office of Moscow's Mayor. Faced with a genuine threat of losing power in an armed uprising, Yeltsin turned to the military. After initial hesitation, Defense Minister Grachev provided the firepower necessary to crush the insurgents. Up to that point, Russia's political struggle, despite a year and a half of perennial tensions and vituperation between president and legislature, had been remarkably peaceful, except for the May Day 1993 violence in the capital.

In the aftermath of this military intervention into politics, the December 12, 1993 constitutional referendum and parliamentary election were designed to give legal clarification to the new structure of power and to create corresponding institutions. The draft constitution established a presidency clearly more powerful than the legislature and empowered to set the course of Russia's foreign and domestic policy. A simultaneous parliamentary election, Yeltsin hoped, would provide legislative backing for those policies. In a word, Boris Yeltsin was asking Russia's electorate to sanction the normalization of politics legally and institutionally, and to bless Yeltsin's reform program politically.

Yeltsin had reason to expect success. Six months earlier, in the April 1993 referendum, Russia's voters had voiced backing both for him, and more surprisingly, his socio-economic policies, while calling for new parliamentary elections.¹ After that referendum, Yeltsin moved to bypass the Supreme Soviet by convening a Constitutional Assembly while announcing his intention to hold parliamentary elections in the fall. The refusal of the Supreme Soviet to cooperate or disappear led to the final confrontation and the destruction of the White House.

In calling for the election, Yeltsin also may have calculated that the Russian electorate had welcomed his showing of a "strong hand." His decisive measures against the parliament, however brutal, apparently ended the standoff that had led Russian politics into a pattern of paralysis punctuated by crises, accompanied by growing disillusionment and disgust among the citizenry. In fact, in the aftermath of the October 3-4 weekend, Russia's reformers evidently thought that the "Red-Brown" threat had evaporated, and that a constitution enshrining strong presidential powers and their own electoral victory were practically assured.

The electoral law they crafted was also designed to bolster their position. By establishing a semi-proportional system and requiring that parties exceed 5 percent of the vote nationwide to enter parliament, they hoped to keep small, troublesome parties out and exploit the advantages of the well organized, equipped and financed Russia's Choice. They perhaps also sought to promote the development of Russia's still embryonic political parties generally.

Finally, the election also was the opening stage in the future presidential campaigns of some of Russia's leading politicians: Sergey Shakhrai, Grigory Yavlinsky, Anatoly Sobchak and others are laying down markers and canvassing support for their expected bids to succeed Boris Yeltsin. Before December 12, however, few included Vladimir Zhirinovskiy in that group of frontrunners, despite his remarkably strong third-place showing in the June 1991 presidential election.

THE DRAFT CONSTITUTION

Until December 12, 1993, Russia had not agreed and ratified a new basic law to replace the 1978 Brezhnev constitution designed for the USSR, which technically remained in effect. That document's legitimacy and authority were badly tattered, however; the USSR no longer existed, both the Supreme Soviet and Yeltsin had amended it several hundred times, and it contained mutually contradictory provisions. Various bodies had elaborated drafts of a new constitution, including the Constitutional Committee of the Supreme Soviet (chaired by Oleg Rumyantsev), the Communist Party, and the Constitutional Assembly

¹ See Commission on Security and Cooperation in Europe, *Report on the April 25, 1993, Referendum in Russia* (Washington, D.C., May 1993)

convened by Yeltsin in June 1993. While Yeltsin rejected the "Rumyantsev" constitution (backed by Khasbulatov), and ignored the communist version, drafting in the Constitutional Assembly also ran into serious difficulties. Its membership, which included representatives of Russia's regions and republics, could not agree on the relations between Russia's 89 republics and regions, and between all of them and the central government in Moscow. While, in general, the republics and regions sought greater control over their resources and a better deal with Moscow, especially over taxation, they bickered with each other over their respective status and rights.

The military defeat of the pro-parliament insurrectionists on October 3-4 gave Yeltsin the momentum -- and powers of intimidation -- to shape the draft as he wanted. The resulting document created a presidential republic with a multi-party political system, and division of powers among the executive, legislative and judicial branches of government.

The draft enshrined basic human rights in Russia: freedom of conscience, freedom of movement (within the country as well), freedom of thought and expression, freedom of assembly, and presumption of innocence. Various articles protect specific rights often violated by the Soviet regime, by barring the deprivation of citizenship, the subjection of people to involuntary medical or scientific experiments, forced labor and the application of unpublished laws. Also protected are social rights and entitlements, such as support for the family, invalids, the elderly, the right to housing, education, etc.

Not surprisingly, Yeltsin engineered the creation of a strong presidency, which analysts have described as a mixture of the French and American models. Elected for a maximum of two consecutive 4-year terms, the president is head of state, and sets the course of the country's domestic and foreign policy. He selects the prime minister (who puts a government together), he appoints the head of the Central bank, the justices of Russia's Constitutional Court, Supreme Court and High Court of Arbitration, the General Procurator (Attorney General) and, as commander in chief, appoints the High Command of the armed forces. The president can also issue decrees that are binding throughout Russia, and introduce a state of emergency or martial law. Federal laws hold sway in any dispute with the legislation of Russia's constituent parts.

Presumably reflecting Yeltsin's unhappy experience with Alexander Rutskoi (originally his hand-picked running mate in the June 1991 presidential election), the new constitution envisages no vice-presidency. Without specifying a successor, the draft stipulated a procedure for succession: the prime minister would become acting president until new presidential elections take place within three months.

The president can dissolve parliament and call for new elections, if the *Duma* (lower chamber) rejects the president's choice of a prime minister three times, votes no-confidence in the government twice in three months, or votes no-confidence in the government after the prime minister has asked for a vote of confidence. But the president cannot dissolve the *Duma* in its first year of existence, except for rejecting the president's candidate for prime

minister. The president cannot dissolve the Federal Council (upper chamber) under any circumstances.

Parliament's ability to impeach the president is severely restricted. The *Duma* must first form a commission (about which no further information is specified), to decide whether to ask the Supreme Court and the Constitutional Court to rule on whether the president has committed a "grave" crime or an act of treason. If the Supreme Court so rules, and if the Constitutional Court agrees, the *Duma* commission can then recommend to the *Duma* that the president be impeached. A two-thirds vote by the *Duma*, followed by a two-thirds vote by the Federation Council within three months, is necessary for impeachment.

As long as the president is assured of at least a third-plus-one of the votes in the *Duma*, he can prevent the passage of legislation to which he is opposed. If the lower chamber sends such legislation to the Federation Council, which then rejects it, the *Duma* requires a two-thirds vote to override this intra-parliamentary veto. If such legislation is passed by both chambers and is then rejected by the president, a two-thirds vote of both chambers is needed to override a presidential veto.

The draft also created an independent judiciary, in which judges cannot be removed and enjoy immunity. Three courts top the system: the Constitutional Court interprets the constitution and decides whether other legal acts accord with its provisions; the Supreme Court handles civil, criminal and administrative matters, and the High Court of Arbitration rules on economic disputes.

Critics of the draft charged that the powers of the presidency are too broad, while the legislative branch is handicapped -- a particularly worrying imbalance in a country with a centuries-old tradition of overly strong, centralized executive power. In fact, most of the contending parties and blocs did not support the draft. Only Russia's Choice strongly backed it, and even some of its leading representatives, such as Sergey Kovalev, expressed concerns. The attitude of the other parties, including the pro-reformist, was lukewarm or strongly negative. Thus, Shakhrai saw the draft as a "lesser evil," whereas Yavlinsky denounced it as conducive to "dictatorship" -- an assessment echoed by the Communist Party (the Agrarian Union did not loudly attack the draft). Notably, Zhirinovsky supported the draft, applauding and manifestly coveting its sweeping presidential powers.

Other critics, especially in the republics and regions, focused on the constitution's treatment of Russia's constituent parts. The draft contained no mention of the "sovereignty" of the republics, it equalized the status of the republics and regions, and did not incorporate, as did previous versions, the Federation Treaty of March 1992, which gave the republics wide-ranging prerogatives.

Finally, Part II of the draft permitted deputies of the *Duma*'s first convocation to be simultaneously a member of the government. This provision concerned critics who hoped to see a strict division of powers.

Many of Russia's newspapers published the draft constitution on November 9, 1993. In all likelihood, the vast majority of Russia's electorate remained unfamiliar with most of its provisions: television, not increasingly expensive newspapers, is the public's most common source of information, and though Ostankino and other channels broadcast numerous programs on the draft and the division of powers it envisaged, it is uncertain how many interested viewers such programs attracted. It is clear, however, that Yeltsin and his supporters in government responded to indications that the draft enjoyed weak support. As election day neared and indications grew that the constitution might fail for lack of the required 50 percent turnout, the Central Election Commission hurriedly announced plans to print twenty-five million more copies.

On election day, voters received a separate ballot for the referendum, which asked: "Do you accept the constitution of the Russian Federation?"

For the draft constitution to pass, at least 50 percent of the electorate needed to cast ballots; 50 percent of those voting needed to vote in the affirmative.

STRUCTURE OF THE NEW PARLIAMENT

Yeltsin's September 21 decree mandated a bicameral parliament (Federal Assembly): a 450-member lower house (the State *Duma*), which resembles the U.S. House of Representatives, and a 178-member upper house (the Federation Council), analogous to the U.S. Senate.

Members of both chambers will serve for only two years. In 1995, therefore, there will be new parliamentary elections. Deputies to the upper chamber will in the future be appointed by regional governments and legislatures, not elected.

THE ELECTION LAW AND PROCEDURES

The election law divided Russia into 89 regions (though the Republic of Chechnya refused to participate), containing 225 election districts, and over 100,000 polling stations. A 25 percent turnout was necessary for the vote to be valid, both nationwide and within individual districts for local candidates.

Half of the *Duma*'s 450 seats were single-seat constituencies elected on a "winner take all" basis; the other 225 were filled by proportional representation, with parties and blocs receiving seats according to the proportion of votes they won nationwide. Hence, in 225 election districts for the *Duma*, people could vote for one local candidate and also cast another vote for one of the 13 blocs or parties registered to run in the election. A party needed at least five percent of the vote to enter the *Duma*.

For the 178-member Federation Council, two candidates were directly elected from each of the Russian Federation's 89 republics, regions and provinces.

Administration of the Referendum and Election

Electoral Commissions: The Central Electoral Commission (CEC), created on September 29, administered the election process. Yeltsin appointed Nikolai Ryabov, a deputy chairman of the previous Supreme Soviet and a close confidant, to chair the CEC, which had 21 members. Beneath the CEC were the 225 constituency electoral commissions corresponding to the new 225 districts, and then local district electoral commissions. The CEC created these constituency districts on the principle of roughly equal numbers of voters, with the average totalling 508,000. Administrators within each constituency district determined their local voting district boundaries.

All three administrative levels of election commissions drew their membership from the local administration and legislative bodies, such as regional or local councils. The 13 parties and blocs eligible to run in the elections, as well as individual candidates, were entitled to appoint one voting member to electoral commissions.

Registration of Parties and Candidates: State Duma

Proportional Voting: "Electoral associations" -- a federal party, a federal political movement or a bloc of such public associations -- needed to be registered at the Ministry of Justice to register for the election. To be put on the ballot, parties had to register a list of candidates before they could begin gathering the required 100,000 signatures due before November 7.

Thirty-five blocs initially registered their intention to participate. Of these, 21 parties and blocs presented lists of signatures in at least seven republics or regions by the deadline, with no more than 15 percent of the signatures coming from any one region, as required. On November 10, the CEC found eight of the 21 ineligible, mostly for not having collected the 100,000 necessary valid signatures, or for having too many signatures from one region. Thirteen parties and blocs thus remained in the race.

Single Constituency Seats: Candidates running for single-seat districts had to be nominated by groups of citizens or electoral associations. In the former case, they needed the signatures of at least one percent of the electorate in their constituency/district by November 14. On November 19, the registration of candidates for single-seats was completed. According to the CEC, nearly 1,500 candidates registered to run for 224 seats. (Because only one candidate of the required two in one Tatarstan constituency was registered, that election was postponed for 12 weeks).

Among these candidates, the largest group is composed of heads of regional governments; the next largest are members of Russia's new business class. Reportedly, and in contrast to previous elections, officials of the "power" ministries (defense, security, internal affairs) were not highly represented among candidates.

Candidates of parties/blocs that did not collect enough signatures could run for individual seats in their local districts, assuming they met the requirements for eligibility. Parties/blocs which submitted a national list of candidates could nominate candidates to the *Duma* in single-seat constituencies from among the candidates on its all-federation list. If party list candidates won their single-seat race, the next person on the party list would be the given bloc/party's deputy in the *Duma*.

Registration of Candidates: Federation Council

Candidates for the upper chamber needed signatures from at least one percent of the total number of the constituency's electors by November 15. In constituencies of between 2.5 and 4 million people, at least 25,000 signatures were required, and at least 35,000 signatures in constituencies numbering over 4 million electors. At least three candidates needed to be registered for elections to be held for the upper house. If not, the CEC could postpone elections for 12 weeks in those regions.

On November 19, the CEC announced the registration of candidates for the Federation Council, with 490 candidates running for 172 seats. Elections to the Federation Council in the republics of Tatarstan and Chechnya and in Chelyabinsk oblast were postponed for 12 weeks, because fewer than the required three candidates registered in these constituencies.

In all, 490 candidates were registered. According to the CEC, over 40 percent of them were from the government administration. In 24 regions, Yeltsin's personal representatives were running. Thirteen percent of the candidates were former deputies of the previous Supreme Soviet.

Candidates were elected on a "first-past-the-post" system. Voters were able to choose two candidates for the Federal Council.

Financing

The elections were financed from monies appropriated from the Russian Federation budget. According to CEC Chairman Ryabov, the election campaign cost the Russian government about 170 billion rubles, mostly for the day-to-day operations of the electoral commissions and for organizational expenses. In addition, 82 billion rubles were earmarked for the constitutional referendum.

Parties/blocs could receive limited financing from the Central Electoral Commission, and individual candidates from district electoral commissions to conduct the campaign. But parties/blocs or candidates could also have their own funds, and receive contributions. Each of the 13 parties/blocs could have one account to receive contributions (at the Central Cash Settlement Center in Moscow); single-seat candidates could open special temporary accounts at banks in their places of residence or in their constituencies. Individuals could contribute

a maximum of 600,000 rubles to individual candidates and 900,000 rubles to parties/blocs. Legal entities, i.e., associations, could donate as much as 6 million rubles to candidates, and 600 million rubles to parties/blocs. Donations by foreign governments and other foreign entities were forbidden.

An Inspection and Control Service was supposed to investigate alleged violations in spending of funds accumulated in special accounts of parties/blocs and candidates. But no law required candidates to give a detailed account of their financial background, although several leading party candidates did publish information on their incomes in newspapers. Sixty days after the publication of the election results, however, parties and candidates are to submit reports detailing sources of income and expenses to their respective electoral commissions.

Voting Eligibility

All citizens of the Russian Federation 18 years and older permanently residing in Russia were eligible to vote. Citizens outside Russia could vote in embassies and consulates.

Servicemen in the Russian military forces generally did not vote separately, as had been the case earlier, but at civilian polling stations with the general population. Russian servicemen abroad voted with their garrisons.

Media

On October 29, Yeltsin issued a decree intended to ensure equal access to the mass media, especially state-owned TV and radio, for all candidates and parties. Beginning on November 22, each of the two state television networks -- Ostankino and Russian TV -- allocated one hour per night during the week for the parties/blocs. The order of their appearance was decided by lottery. Single-seat candidates were also to receive free TV and radio air-time. The Yeltsin decree set up an Information Arbitration court to guarantee openness and access to the media, and, *inter alia*, to investigate complaints and settle disputes concerning media coverage.

The CEC instructed federal and regional television and radio companies to allow parties/blocs and independent candidates at least 20 minutes of free air time between November 21 and December 11. Each candidate was entitled to one speech on television and one on radio.

Observers

Local Observers: On election day, each electoral association or candidate could appoint up to five observers to monitor the balloting and the vote count.

Foreign Observers: On October 8, Yeltsin invited foreign observers to the referendum and election. Approximately 1,000 observers from all over the world attended the elections throughout Russia. The CEC issued credentials but insisted that each observer's respective embassy in Moscow coordinate the process. Representatives from the CSCE Parliamentary Assembly, the CSCE Office of Democratic Institutions and Human Rights, the European Parliament, the North Atlantic Assembly, various national parliaments, the United States' International Republican Institute, National Democratic Institute, International Foundation for Electoral Systems, and other interested organizations and individuals made up delegations that traveled throughout Russia.

PARTIES/BLOCS

The 13 parties/blocs which fielded candidates for the 225 *Duma* seats allocated according to proportional representation offered voters a broad choice. Many analyses divide them roughly into three groups: reformist, centrist, and hardline. But all the parties/blocs involved were "reformist," in the sense that, at least according to their platforms, they did not want to return to the one-party system and fully planned economy of communist times. By another reasoning, all but Russia's Choice were "reformist" in that they opposed major aspects of the policies implemented by Yeltsin and Gaidar. In that sense, Russia's Choice was the status quo bloc.

Many people maintained that the programs of the four "reformist" parties and blocs differed little from each other. Repeated attempts to form a united front failed, however, with the bad blood between Gaidar and Yavlinsky especially nasty. The main points of their programs were as follows:

- *Russia's Choice* (212 Candidates on federal lists): The pro- Yeltsin bloc was headed by First Deputy Prime Minister Yegor Gaidar and included prominent government ministers, including First Deputy Prime Minister Vladimir Shumeiko, Deputy Prime Minister Chubais, and Foreign Minister Andrei Kozyrev. It backed the continuation of the current government's programs: the rapid transition to a market economy, with an emphasis on stabilizing inflation, a stable currency and protecting private property and human rights.

- *Party of Russian Unity and Accord* (193 candidates): Headed by Deputy Prime Minister Sergei Shakhrai, Deputy Prime Minister Alexander Shokhin and Yeltsin aide Sergei Stankevich, this party emphasized decentralization and local self-government. Shakhrai distanced his party from radical economic reforms, advocating slower privatization, while boosting the role of regional governments.

- *Yavlinsky-Boldyrev-Lukin Bloc* (172 candidates): Founded by economist Grigory Yavlinsky, scientist Yuri Boldyrev and Vladimir Lukin, Russian ambassador to Washington, the bloc, called "Yabloko," blasted Gaidar for freeing prices before undoing the producers' monopoly. Yavlinsky advocated slower economic reform, with more government regulation during a longer transition period.

- *Russian Movement of Democratic Reforms* (153): MDR featured St. Petersburg Mayor Anatoly Sobchak, former Moscow Mayor Gavriil Popov, and other perestroika-era reformers. The movement favored rapid economic reforms but without shock therapy.

The platforms of the centrist and hardline parties were as follows:

- *Civic Union for Stability, Progress, and Justice* (184 candidates): Led by Arkady Volsky, president of the Russian Union of Industrialists and Entrepreneurs, Civic Union favored slowing privatization and demanded protection of state industries and continued subsidies. The restoration of the USSR "by peaceful means" was also a Civic Union goal.
- *Democratic Party of Russia* (167 candidates): Headed by Nikolay Travkin, this party criticized price liberalization in conditions of monopoly and stood for strong Russian statehood.
- *Agrarian Union* (145 candidates): Headed by Mikhail Lapshin and Alexander Zaveryukha, Deputy Prime Minister responsible for developing agriculture, the Union's support came from collective farm directors. It backed fixed agricultural prices, strong state support for agriculture and opposed the sale of land.
- *Russian Communist Party* (151 candidates): Headed by Gennady Zyuganov, the RCP opposed the government's privatization, favored the partial restoration of a planned economy, and campaigned for better social protection for those battered by economic reform. The party also urged a less pro-Western foreign policy.
- *Liberal Democratic Party* (156 candidates): Less a party than a backdrop to its demagogic leader Vladimir Zhirinovsky, the LDP espoused ultra-nationalist positions, including: anti-Western rhetoric; expanding Russia's borders to include Poland and Finland, and eventually reaching the Indian Ocean; increasing arms sales abroad and restoring ties with traditional Soviet allies like Iraq and Libya; intensified support for Serbia; ridding Russia of non-Russians; provoking ethnic wars outside Russia; and warning Japan, Germany and the United States of nuclear attack or blackmail.

There were also four issue parties:

- *Constructive Ecological Movement* (44 candidates): This ostensibly environmentalist movement did not have the backing of the longer established environmental movements and activists. They accused the Movement of backing business and industrial interests behind a mantle of environmental concern.
- *Dignity and Charity Movement* (58 candidates): This movement campaigned for support of invalids, veterans and the poor and needy. Konstantin Frolov, Vice President of the Russian Academy of Sciences, headed the slate.

- *Women of Russia* (36 candidates): Drawn from communist-era womens' organizations, such as the Soviet Women's Committee and the Union of Women of the Navy, as well as the new Association of Russian Women-Entrepreneurs, Women of Russia advocated more women in parliament and government. It also focused on larger reform issues that would benefit women, such as economic development.

- *Russia's Future -- New Names* (95 candidates): An outgrowth of the Komsomol, this party featured no well-known names and was closely tied to Civic Union.

An October 19 edict by Yeltsin barred several movements and parties from participating in the elections -- small, hard-line parties on both the extreme left and right, which allegedly incited violence in the October 3-4 uprising. But individual members of these groups could run for election, except for 21 individuals who had been formally charged for their roles in the uprising, e.g., Ruslan Khasbulatov and Alexander Rutskoi. On December 1, the Information Arbitration Court condemned a government-initiated attempt to exclude two leading opposition groups (the Communist and the Democratic Parties) from the ballot.

BOYCOTTS

No parties boycotted the election, although some opponents of the draft constitution urged supporters to pocket, rather than deposit, their referendum ballots so that the 50 percent voter requirement would not be met. Of course, the presidential decree establishing 25 percent as the minimum turnout for the parliamentary voting (rather than the previous 50 percent), may have persuaded the communists and other opposition groups that a boycott would be senseless.

THE CAMPAIGN

The campaign officially began after the registration of parties/blocs and candidates. Candidates could not appeal for the violent overthrow of the state, reject the Russian Federation's territorial integrity, or incite racial, ethnic or religious hatred.² Other restrictions included: no release of public opinion polls during the last 10 days of the campaign and a prohibition against negative campaigning during the last week of the campaign. Campaign activity was forbidden as of 24 hours before election day.

The Referendum on the Constitution

Yeltsin and his allies mounted a major effort to ensure the passage of the new constitution. On November 22, the Russian government set up a commission headed by First Deputy Prime Minister Vladimir Shumeiko to provide organizational and financial

² Interestingly, Vladimir Zhirinovskiy -- who, apart from many other ethnically provocative statements, demanded that only fair-haired, blue-eyed Russians appear on television -- campaigned without hindrance.

support for the referendum. The government, and especially Gaidar, urged local officials to push for support of the draft. Heavy campaigning from Yeltsin and Russia's Choice on its behalf stressed the constitution's contribution to stability and to "making Russia a civilized country." Most other blocs/parties voiced reservations or outright opposition to the draft.

The efforts by Yeltsin and his allies in the government to get the draft constitution passed at all costs created some of the major commotions of the campaign. On November 26, Yeltsin threatened representatives of the parties that their free television airtime would be withdrawn if they criticized the draft. Nikolai Ryabov, the chairman of the CEC, which was supposed to administer the referendum and the parliamentary election objectively, voiced the hope during a television interview on November 29 that voters would approve the draft. First Deputy Prime Minister Shumeiko went farther: he demanded that the CEC ban the Communist Party and the Democratic Party for urging the electorate to vote down the draft, and also called on the CEC to investigate other parties and blocs that expressed reservations about the new constitution.

Commission staff in Moscow at the beginning of December did not see any television shows that criticized the draft. But in Vladimir, local authorities reported that a debate on the constitution had been broadcast the day before. Local newspapers in Tula and Vladimir also printed articles and letters critical of the draft.

Media

Because of Russia's size and the brevity of the campaign, candidates could not cover large areas and meet with voters. This made television, already the country's most important mass media outlet, even more important.

Newspapers offered more diverse views than the electronic media, which is state-run. Some newspapers initially banned following Yeltsin's clash with parliament, like *Den'*, are still banned. Others, most notably the pro-communist, anti-Yeltsin *Pravda*, resumed publication in early November. Russian newspapers generally are more opinion-oriented than devoted to conveying the news, and were clearly identified with political movements, despite depending on government subsidies. For example, *Izvestiya* was pro-Yeltsin and pro-Russia's choice, but *Trud* (trade-union) and *Selskaya Zhizn* [Agricultural Life] were anti-government.

Local newspapers tend to be controlled by the local authorities. In Tver, for example, the oblast daily is an organ of the administration, which supplied at least 25 percent of the candidates in the December election. A weekly funded by the regional assembly, whose editor had ties to the Christian Democrats, supplied the closest approximation to opposition. Moscow-centered political and institutional struggles were thus replicated on regional levels outside the capital.

Television Campaign

The TV campaign began on November 22, with parties drawing lots to decide the order of their appearance. Parties were free to criticize the government; Civic Union's appearance, for example, ended with pictures of the October shelling of the Russian parliament.

Russia's Choice and some other pro-reform parties had the funds to buy TV airtime and other forms of advertising (or to have a polished presentation on TV for their free appearances), but not all parties had that luxury. The Communist Party, for instance, relied more on its old networks of activists. Interestingly, Vladimir Zhirinovsky's Liberal Democratic Party could afford to buy a great deal of airtime (after the election, Yeltsin sacked Vyacheslav Bragin, the head of Ostankino, reportedly for selling so much airtime to Zhirinovsky).

In general, Commission staff observed little campaign literature, posters or door-to-door canvassing in most cities visited during the run-up to the elections. Most voters seemed to have received their information through TV, newspapers, radio, and past information about individual candidates. This was at least in part due to the short campaign period and embryonic nature of the political groups.

Critical Observations about the Conduct of the Election Campaign

In general, the CEC's performance in Russia's first genuinely multi-party elections was remarkable, given the weakness of Russia's democratic foundations. But the campaign and election exhibited serious problems, some of which affected everyone. These included the short time frame, and the attendant lack of information on procedures and candidates; the procedures for becoming an eligible candidate (especially the signature collection process); campaign financing; and media bias in reporting on candidates.

Time-Frame

The short time frame for the elections complicated every aspect of the election process and the campaign, and created considerable confusion for election officials, candidates, parties, and the voter. Moreover, political leaders had to scramble to compile party lists with the required 100,000 signatures before the November deadlines.

In effect, there were barely three weeks between a party/bloc's formation and its final registration for the ballot, which, among other problems, left little opportunity to discuss the lists of candidates. A Russia's Choice candidate in Tula reported that there was not enough time to confirm that the people who wound up on the bloc's list actually shared its beliefs, which, in one case, caused embarrassment when the discrepancy became known. Voters were in even more difficult straits, having to fill out four separate ballots for the parliament and on the constitution, often without having had time to study the issues or familiarize

themselves with the candidates or the draft document. Indeed, much of the electorate seemed confused, which, apart from cynicism and indifference, probably affected turnout.

Signature Collection

Signature collection and attendant regulations caused much confusion, as the rules changed constantly. For instance, local election officials complained about contradictory instructions on whether citizens could sign up for more than one candidate or party.

Worse than confusion, however, were the widespread reports of chicanery. Nikolai Travkin of the Democratic Party, among others, charged that local leaders appointed by Yeltsin used their offices to collect signatures for themselves, and there were numerous accounts of signatures sold or acquired in unethical ways. A Zhirinovsky supporter in Krasnodar told Helsinki Commission staff that he had sold 2,000 signatures to another candidate, who, in turn, had resold them to someone else. Ostankino TV reported that "instances of paying 20,000 rubles for 100 signatures have been observed." Other reported shenanigans included buying signatures for packets of cigarettes, and signing a particular candidate's sheet in order to be allowed to buy meat at a particular store or be admitted into a disco.

The verification of the authenticity of the signatures was a major problem. Electoral commissions had five days to check the signatures, and, indeed, did eliminate some improper signatures -- the chairman of one district election commission told Commission staff that his commission had eliminated about two percent). But this was not that much time to verify the authenticity of the signatures. Another electoral commission chairman admitted that the verification process was very shaky.

There was at least one reported case of signatures being stolen. Sergei Baburin, the hard-line leader of the Russian All-People's Union, who was arrested and later released for his part in the October rebellion, alleged that 22,000 signatures were stolen on the eve of the deadline for handing them in after a raid on his party's headquarters by armed individuals, including some wearing Interior Ministry police uniforms. The CEC excluded Baburin's party from participating in the election.

Campaign Financing

Oversight of the spending of campaign funds by the CEC was virtually nonexistent; nor was there any oversight of funds spent by the 13 parties/blocs, which relied heavily on private campaign financing. Much apparently came from commercial banks, which, along with industrial enterprises (and reportedly the mafia) poured money into the campaign. Parties/blocs were quite secretive about their funding sources, and the authorities took a resigned attitude to the implications: the December 3 *Moscow Times* quoted Valery Bragin, in charge of finances at the CEC, as saying: "There will be violations, but there is not enough time for many violations." Nevertheless, a special subcommittee is to look into accusations

of serious infractions, and Nikolay Ryabov promised that the CEC would investigate sources of financing for parties and individual candidates.

Nor were there regulations for donations-in-kind, i.e., resources like cars, office equipment, etc., to parties from local supporters in government, state farms or state industries. But while critics focused on the advantages in this regard of Russia's Choice, with so many candidates tied to government, the Agrarian Party could also rely on local supporters in government and farms, as could other parties.

Media

The fairness of media access and coverage were compromised in several ways. Commission staff and the majority of observers felt that while the 13 contending blocs/parties duly received the equal time slots promised by the government, news coverage and reporting were supportive of the pro-government parties.

In October, for example, "election coverage [was] dominated by stories about Russia's Choice, with only a few references to what other parties are saying."³ On November 5, Valentin Lazutkin, vice-chairman of Ostankino TV, acknowledged charges of bias and pledged to provide equal opportunities for all groups.

This promise went unfulfilled. The Russian-American Press and Information Center broke down the amount of time devoted to various leading party/bloc leaders during the November 9 - 21 period on Ostankino and Russian TV. The preponderance of reporting on pro-government bloc candidates was striking. Moreover, coverage of some pro-reform candidates critical of government policy, notably Grigory Yavlinsky, was virtually non-existent. Yavlinsky's party, of course, was seen as the leading contender among the pro-reform and centrist parties to Yeltsin's Russia's Choice.

Electoral Commissions

Although district and local electoral commissions were to be chosen anew for this election, this did not happen everywhere. In some cities, such as Tver and Tula, they did appear to be freshly chosen. However, at least some local election commissions in Moscow, Vladimir, Krasnogorsk, Shakhovskoe and the smaller rural communities of Istra, Novoe Petrovko and Anino were either exact replicas or enlarged versions of previously existing commissions. In fact, methods of selecting commissions varied dramatically. A Moscow precinct off Leningradsky Prospekt used newer, more democratic means of selection in which various movements and parties were represented among commission members. Elsewhere, members were generally nominated by local work places, sometimes by the single factory in the district.

³ Leyla Bolton, "Powers of Persuasion," *Financial Times*, November 5, 1993.

In addition, the CEC encouraged oblast administrations to form so-called working groups, to assist the commissions on "technical matters." The participation of parallel bodies not independent from local administrative structures in election preparations posed concerns.

Parties/blocs or single-seat candidates could appoint members to each district election commission, and on election day, each bloc or candidate could appoint up to 5 observers to be present at the polling station or at the vote count in the district electoral commission. In Vladimir and Tula, Commission staff found a week before the election that very few parties or candidates actually had members on the election commissions, and local political activists reported that few political parties would have observers at the polls. Sometimes the reason given was that people knew and trusted each other or the commission chairman. More important, political parties/blocs were weakly developed and organized. Several candidates spoke sadly of a lack of politicization and apathy among the electorate. In Tver, two days before the election, only the Communist Party indicated plans to field observers.

There were also reports of gerrymandering to benefit Russia's Choice. According to the CEC, the average anti-Yeltsin district consisted of 590,000 voters and the average pro-Yeltsin district had 456,000 voters. Some regional pro-Yeltsin officials admitted to exploiting their advantages; one official in Chelyabinsk said "We in the government have the right to set the electoral boundaries. So we will set them in a way that is good for the Yeltsin parties."⁴

Naturally, the party in power also made full use of the advantages of incumbency. For example, the government unveiled populist programs, such as raising minimum wages and pensions, to woo voters. In the case of pensions, this occurred the day before the election, when campaigning was forbidden.

Furthermore, the presence in the electoral process of so many highly placed members of local administrations and well-endowed parties intimidated potential candidates from entering the race. In Tver oblast, the local weekly, *Tverskiye Vedomosti*, reported on a candidate who withdrew from the race because of the overwhelming organizational strength of his adversary, the chief of administration of a locality.

VOTING DAY OBSERVATIONS

Commission observers visited polling sites in two general areas: Moscow and its environs, and the Krasnodar region in southern Russia. Voters received 4 ballots: one for the referendum; two for the State *Duma*, and one for the Federation Council. In Moscow, voters also cast ballots for the City *Duma*. The 13 parties and blocs appeared on the ballots in alphabetical order, along with the top three candidates on its list.

⁴ "Regional Campaigners Quick to Learn Electoral Tricks," *Financial Times*, October 25, 1993.

Moscow Region: Commission staff visited polling sites in Moscow proper, as well as Krasnogorsk, a military-industrial city just outside Moscow; Istra, a small regional administrative center; Novo Petrovskoye, a rural town; Anino, a village of 400 voters; and Shakhovskoe, an agricultural city of 30,000, and headquarters of Nikolai Travkin's Democratic Party of Russia.

In general, despite some lapses, Commission staff did not observe any serious anomalies in the voting or counting. Russia clearly has made significant progress in bringing its election procedures into conformance with international standards.

Moscow-oblast voters seemed fairly well informed about the election, both via the media (primarily television) and through long familiarity with the majority of candidates who were veterans of politics or public administration. But older voters were particularly confused by the proliferation of parties, candidates and ballots. Electoral officials often had to assist them in ways that might be considered interference. Commission staff did see, on two occasions, Communist Party observers helping voters mark their ballots. Because there were generally only two small curtained-off voting booths available, most voters chose to sit at tables and consult among themselves in an effort to understand the ballots and to decide which candidates they preferred. Secrecy of the ballot was therefore badly compromised.

The election law barred the display of campaign material in polling stations, but in several localities they were hung on the walls for the voters' benefit. Commission staff heard of polling stations where voters demanded that campaign materials which had been removed to comply with regulations be restored. Many voters were unable to match candidates to parties, and often consulted among themselves before voting.

Many Russian citizens who did not vote told Commission staff that nothing would change as a result of their vote, or that all parties were equally corrupt. Others wearily charged that the government would in any case make what it wanted of the results. In general, Helsinki Commission staff noted much lower turnout than during the April 1993 referendum, and a near-universal identification among voters with personalities as opposed to parties. Relatively few young Russian voters visited those polling stations monitored by Commission staff.

Krasnodar Region: Krasnodar, in the Kuban region of the North Caucasus, is a city of about 650,000 inhabitants, and the capital of the Krasnodar region, one of Russia's most conservative politically and socially. Novorossisk is a seaport town on the northeast coast of the Black Sea, with a population of approximately 180,000. Also covered were the town of Abinsk and several villages between Novorossisk and Krasnodar.

In Krasnodar region, Helsinki Commission staff saw no major violations and other international observers in the area generally confirmed that view. Election officials refused to let voters cast ballots for others, demanded that they present a valid ID, i.e., passports, and used pens (which are harder to erase than pencils) to register voters.

According to a local election official in Krasnodar, this strict observance of the passport requirement may have helped keep the turnout low, and actually benefited candidates like Zhirinovsky and those of the former Communist Party *apparatus*. Many young people, who tended to support the reform tickets, would not return if told to go home and get their passport, the official maintained. Senior citizens, voting their anger at their economic misery and obedient to Soviet election-day tradition, would return "as they've been trained to do."

Most polling places featured large placards with photos and descriptions of the candidates. Some polling places prominently posted the entire party lists for the Russian Federation.

In keeping with tradition, many voters sat around either separately or collectively deliberating. Booths were frequently shared. Food and other products were available for sale at all sites except for the Novorossisk Hotel, where a disgruntled voter exclaimed that "we should have gotten at least a piece of hard candy."

The chairwoman of the election committee at one polling place in Krasnodar almost denied access to the three-person foreign observer delegation because she claimed that the "five observers" limit for *party* observers under the election law applied also to international observers, and the delegation might exceed the limit. As it was, only two local party observers had already stopped by, and the three foreigners were allowed to remain.

In any event, there was a noticeable scarcity of local observers from political parties at the polling places in both the Moscow and Krasnodar areas. In the former, Commission staff encountered only the above-mentioned Communist Party observers. In the Krasnodar area, a few Communist Party observers, and one representing Russia's Choice were seen.

RESULTS

Referendum: The CEC announced on December 20 that 54 percent of Russia's over 106 million voters participated in the referendum, with 58.4 percent voting affirmatively.

Election: Zhirinovsky's Liberal Democratic Party won the largest number of the 225 seats allocated proportionally by party preference in the lower chamber, with 22.79 percent (59 seats). Russia's Choice was a distant second, with 15.38 percent (40 seats). The Communists came in third, with 12.35 percent (32 seats), followed by: Women of Russia, with 8.10 percent (21 seats); the Agrarian Union, with 7.90 percent (21 seats); the Yavlinsky-Oldyrev-Lukin bloc, with 7.83 percent (20 seats); the Russian Party of Unity and Accord, with 6.76 percent (18 seats); and the Democratic Party with 5.50 percent (14 seats).

But when the votes for the other 225, single-mandate seats were tabulated, party strength in the *Duma* as a whole changed. ITAR-TASS released the following figures for the 450-seat *Duma* on December 25, calculating the number of deputies loyal to the

parties/blocs: Russia's Choice had 96 seats, the LDP had 70. The Communist Party won 65, the Agrarian Union 47. Yavlinsky-Boldyrev-Lukin had 33, the Russian Unity and Accord Party won 27, Women of Russia had 25, Nikolay Travkin's Democratic Party garnered 21, and Civic Union had 18. Independents took 30 seats, and the Russian Movement for Democratic Reform wound up with 8.

In fact, these figures are unreliable, as ITAR-TASS apparently tried to make Russia's Choice look as good as possible. In any case, all these numbers have since changed and exact numbers are difficult to ascertain because of conflicting figures subsequently published in different sources, and because individuals have left their parties or formed new factions.

The results of the voting to the 178-seat upper chamber were even less clear, as ballots did not, for the most part, indicate party affiliation. But there is a consensus among observers that the LDP and the communists won relatively few seats, most of which went to representatives of local administrations and legislatures, who likely will be pro-reform, if not necessarily pro-Yeltsin.

CONCLUSIONS

Despite charges of chicanery and clear government attempts to influence the outcome, Russia's December 12 election came off without violence and clearly expressed the will of the citizenry. In fact, the willingness -- even eagerness -- of anti-Yeltsin parties to participate was striking. Though most blocs and parties rejected the draft constitution, they did not urge their followers to boycott the referendum, which would have failed without a 50 percent turnout. Whatever the outcome, therefore, it was a victory for the politics of the ballot, not the bullet. The election of Russia's first freely elected legislature since 1918 was a landmark in the democratization of Russia, even though the numerous problems and inequalities in the campaign may have exacerbated voter cynicism about the process.

Early official claims that over 50 percent of the electorate had cast ballots raised eyebrows, as the CEC announced it was basing its calculations on a voter pool of 105 million. Previously, election officials had used a figure of 107 million. The shift to a lower figure seemed like an attempt to ensure passage of the draft constitution by whatever means necessary. According to the final results, however, the draft would have passed even with the higher base figure.⁵ Still, the close margin revealed a disturbing level of voter apathy, or, even worse from Yeltsin's perspective, conscious opposition.

Most analysts had expected the constitution to pass. But for many, the results of the election were surprising. Yeltsin and his advisors evidently believed that Russia's electorate was tired enough of the gridlock between the executive and legislative branches to welcome any resolution, including shelling the parliament. They also hoped and apparently expected

⁵ RFE/RL Daily Report, December 20, 1993.

that voters would continue to back Yeltsin's reforms, as they had in the referendum eight months earlier. This calculated gamble misread the mood of Russian voters. To judge by the outcome of the balloting in April and December 1993, many Russian citizens during this interval rethought their attitude towards the Yeltsin-Gaidar status quo. The most obvious reasons for the shift were: 1) the events of October 3-4 and the widespread horror induced by the destruction of the White House; 2) the impact of deteriorating living standards, exacerbated by social discontent over the conspicuous consumption of the relatively few beneficiaries of economic reforms; 3) growing outrage over crime and corruption; and 4) increasing resentment at Russia's reduced status and perceived subservience to the West.

In addition, the April referendum was also a contest between a still quite popular president and the Supreme Soviet and its very unpopular leader, Ruslan Khasbulatov. While this confrontation often assumed oversimplified "good guy-bad guy" forms, voters in April had only a choice between Yeltsin and a deeply distrusted legislature.

The December 1993 voting was far more complicated: though Yeltsin was clearly identified with Russia's Choice, the president stood above the fray, focusing his attention on the passage of the constitution. This left voters to choose among Gaidar and his policies, those of the other reformist and centrist parties, and the hardline opposition, i.e., the communists, their agrarian allies, and the ultra-nationalist Zhirinovskiy (at the time, still largely dismissed as a crank). With more options than just Yeltsin and communist-oriented legislators, voters could vent their frustrations or could simply experiment with newer faces. (In fact, though it may strike Western observers as strange, Vladimir Zhirinovskiy -- unlike the communists -- has not yet been discredited in the eyes of many Russians by the misuse of *power*, as opposed to words.)

In the event, Russia's Choice, which benefited from incumbency during the campaign, paid the price of incumbency during the voting. Previously, during the 1989 USSR Supreme Soviet election, the Russian Supreme Soviet election of March 1990, and the June 1991 presidential election, "democrats" ran against the Communist Party and often enjoyed success when local conditions allowed them to compete fairly. By December 1993, however, they were no longer the outsider protest group. Instead, they were the party in power, running on their record and the economic reforms in place since January 1992, which many citizens had obviously grown to oppose. Voters may have also resented the government's attempts to influence the outcome of the referendum and the election.

Moreover, the strong showing of the Communist Party and its agrarian allies mirrors the resurgence of communists in various former East Bloc countries, including Poland, Lithuania, and most recently, the eastern parts of Germany. In all these places, market reforms have led to discontent and a nostalgia for simpler times which have benefited renamed and retuned communist parties. True, there is no necessary causal connection among these events, and in fact, Russian politics would probably be more influential on developments in neighboring states than vice-versa. Still, the common trend is noteworthy (and may be a foretaste of Ukraine's parliamentary elections in March).

PROSPECTS

Despite widespread pre-election hopes, the outcome does not seem likely to produce stability. The parliament is split, broadly speaking, between "reformers" and "anti-reformers," with the latter in a strong but not decisively powerful position. As for parliament's relations with the government, Yeltsin can count on more support among deputies than he could for much of 1993, but not nearly enough to claim legislative backing for the Gaidar economic program he touted. Moreover, Yeltsin can no longer dismiss the legitimacy of the *Duma*; indeed, many legislators will probably claim to enjoy greater legitimacy than he. Continued confrontation, therefore, is likely between the executive and legislative branches, unless Yeltsin modifies his programs; in fact, even if Yeltsin is inclined to seek common ground in this manner, the legislators are in a position to provoke him, should they want to. While it might therefore seem that the gamble of Yeltsin's September-October policy looks questionable, the December 12 voting did effect one great change: Boris Yeltsin has the constitutionally mandated upper hand in any upcoming struggle with the legislature.

The Constitution

Though many of the participating parties/blocs either rejected the draft or voiced reservations about it, debate about accepting the constitution has subsided with the referendum's passage. Reformers, stunned by the showing of Zhirinovsky and the communists, see the constitution as the one saving grace of an election gone wrong: at least Yeltsin has the power to keep hardliners at bay and perhaps cobble together coalitions to keep pursuing reform, or if necessary, even rule by decree. The hardliners, for their part, are pleased with their showing and have no reason to question the validity of a document that secures their electoral success and legitimate membership in Russia's new parliament.

Still, many parties and blocs promised during the campaign to seek amendments to the constitution, should it pass. Article 135 of the constitution bars reconsideration of provisions in chapters I (basic rights and principles of state structure), II (human rights) and IX (on amendments to the constitution and reconsideration of the document). If three-fifths of parliament's deputies support a proposal to reconsider any of those provisions, a Constitutional Assembly is convened. The Assembly -- no information is available about who its members might be -- either confirms the existing constitution or develops a new draft, which can either be ratified by two-thirds of its members or in a nationwide referendum. Yeltsin can probably win enough support, especially among deputies in the upper chamber, to fight off attacks on the constitution.

Still, despite the deep policy differences (and visceral personal hatreds) between pro- and anti-reformers, the legislators might develop a common institutional interest in maintaining and securing their positions, and try to narrow the president's right to dissolve parliament and to rule by decree. Article 136 of the constitution permits amendments to provisions of chapters III-VIII, which include presidential powers, but requires three-fourths approval of the upper chamber and two-thirds of the *Duma*. And further approval is then

necessary from two-thirds of the legislative bodies of the subjects of the federation, i.e., the republics and regions.⁶ The Russian parliament is thus severely hobbled in any battle to clip the president's wings.

In any case, Yeltsin and his supporters will try to block infringements on his powers. But even their success in this endeavour would be double-edged: if Zhirinovskiy ever wins the presidency, reformers (and sane people everywhere) will regret that Russia's constitution accords the president such a commanding role.

Future Presidential Elections

When Yeltsin dissolved the Supreme Soviet on September 21, he called for holding presidential elections in June 1994. His spokesmen subsequently backtracked on that commitment, and Yeltsin himself said on November 6 that he would prefer not to run before his term expires in 1996. When this policy reversal drew heated criticism, Yeltsin nimbly changed direction again, and said the June 1994 election would take place as scheduled. Before the December 12 election, therefore, it was unclear whether Yeltsin intended to face the voters or not.

After the election returns demonstrated the strength of the communists and Zhirinovskiy, however, First Deputy Prime Minister Shumeiko announced that there would be no pre-term presidential election. Part II of the constitution stipulates that the president will serve the full term for which he was elected, i.e., until 1996.

Nevertheless, Zhirinovskiy and others may well launch a campaign for new presidential elections. Apart from the chairman of the LDP, others have also announced their intention to run for the post, among them Grigory Yavlinsky. Such well-known politicians as Anatoly Sobchak, Yegor Gaidar, Sergey Shakhrai and Prime Minister Chernomyrdin may also try their luck. The poor showing by reformers on December 12 and Zhirinovskiy's electoral success raise doubts about the prospects of Boris Yeltsin or any other reformers in a presidential election in today's Russia.

Yeltsin's determination to complete his term depends, of course, not only on politics but on his physical abilities. Rumors have long circulated that he is ill, which the president and his spokesmen have denied. Should he be incapable of fulfilling his duties, the prime minister would become acting president, new elections would have to take place within three months, and all bets would be off in Russia's political arena.

Parliament's Orientation and Prerogatives

Despite the early alarm about Zhirinovsky's showing, his LDP did not "win" the election. In fact, parliament has little formal power compared to the president. But whether the president can afford *politically* to use all his powers is another matter.

Duma: Russia's Choice, Yavlinsky's bloc, Shakhrai's party and those deputies loyal to the Movement for Democratic Reforms appear to have enough seats by themselves to deprive the hardliners of the two-thirds needed to override a veto by the upper chamber or, failing that, the president. But it is not clear that reformist parties, blocs and candidates can even cooperate enough to try to hang together and marshal support from independent deputies on close votes. The reformers were deeply divided during the campaign, and even the threat of Zhirinovsky, a communist resurgence or a resort by Yeltsin to rule by decree may not overcome ambitions and personal animosities among them.

On the other hand, the hardliners may not be any more unified. True, unlike the reformers, they have only one figure with blatant presidential aspirations: Zhirinovsky. But while the communists, Agrarian Union (and possibly Women of Russia) may agree with Zhirinovsky on much, it remains to be seen whether they will consistently vote as a bloc. More likely, they will work together on specific issues and votes, and find themselves on opposing sides at other times.

This will make for strange alliances and bedfellows; soon after election returns became clear, Yegor Gaidar was calling for an alliance with the communists against fascism in Russia. The Communist Party's Gennady Zyuganov, for his part, publicly toyed with the idea of allying with Zhirinovsky. Reformers and anti-reformers will have to woo parties like Women of Russia, Nikolay Travkin's Democratic Party and the entire bloc of independent deputies, placing the latter in an enviable situation, even though parliament's prerogatives are quite limited.

Federation Council: Less is known about the party affiliation and policy views of the upper chamber's deputies, although most analysts assume that the hardliners won far fewer seats than in the *Duma*. The other big questions are: will members of local administrations, many of whom ran and won, back the president who appointed them or instead fight Yeltsin to bolster their regional interests and personal careers? And to what extent will they make common cause with the lower chamber?

The Federation Council's priorities are, naturally, regional. All the republics and regions sought more control over their resources, finances, taxation and budgets, and during the standoff between Yeltsin and the Khasbulatov-led Supreme Soviet, they were able to play off one branch of government against the other. Presumably deputies in the upper chamber will try to sell cooperation to Yeltsin -- who will likely encounter defiance in the lower chamber -- for concessions on regional autonomy. But the constitution gives the federal government in Moscow great power over the Federation's constituent parts, both

legally and economically. Second, the *Duma* might oppose such presidential beneficence to the Federation Council. And third, to the extent that Zhirinovsky gains influence, the republics will feel threatened: he advocates eliminating all ethnic-based entities and creating territorial formations modeled on the provinces of the Romanov Empire. So however annoyed the republics may be at Yeltsin and his constitution for equalizing their status with that of the regions and failing to mention their sovereignty, they may feel pushed into Yeltsin's arms.

In any case, parliament is no longer in a position to be very obstructionist. Apart from all the built-in numerical safeguards to the president's position and legislative initiatives, there are no constitutional provisions for parliamentary questioning or overriding of a presidential decree. Yeltsin will have the right to resort to this method, should he see fit. But how such an attempt to ignore parliament would play in the "Peorias" of Russia, after an election which nobody questioned as unfair or fraudulent, is unclear.

Political Parties

Many of the participating parties/blocs were put together literally within a few weeks to meet registration and signature collection deadlines. They are not really political parties in the Western sense, and it remains to be seen whether they will successfully make this transformation. Party discipline and adherence to platforms have been weak among them thus far. The smaller parties, courted and exposed to blandishments from larger parties and the government, could have a hard time developing a clear course and identity.

One critical factor affecting the future of parties is money -- a sign of the normalization, or at least Westernization of Russian politics. The very cost of running for office and especially of television airtime dictates generating sources of income to contest future campaigns and keep one's message before the voters. Parties will either have to organize a strong voter base of moral and monetary support and/or cater to wealthy sources of financial contributions, like banks or sectors of the economy, e.g., the oil industry. In either case, this could foster their evolution into political organizations reflecting the priorities of constituents or interest groups, with correspondingly predictable policy lines.

Vladimir Zhirinovsky

After several years in Russia's political wilderness, Zhirinovsky has finally hit paydirt. His electoral success has transformed him overnight from a buffoon to a nightmare and given views previously deemed outrageous an aura of respectability. Zhirinovsky is now in the best possible position, as he has no responsibilities but enjoys a very public forum. He can continue freely to criticize the government and its policies -- which can only lower living standards in the short term -- while preparing for a 1996 presidential run (if not earlier).

There has been much debate over what Zhirinovsky represents and the appropriateness of historical analogues, with extremes ranging from the short-lived success

of Jan Tyminski in Poland's 1991 election to the next Adolf Hitler. Zhirinovsky has not yet shown his hand, however. In post-election statements, he moderated past positions and claimed to respect the sovereignty of Russia's neighbors. But he later traveled to Austria and Germany, where he met with leading Neo-Nazi groups, to whom he had previously suggested a "common border between Russia and Germany." Having thus threatened Poland, he also managed on his trip to insult Bulgaria (which expelled him) and Romania, and get himself barred from Germany. In short, Zhirinovsky the parliamentarian may or may not resemble Zhirinovsky the candidate and gadfly. But he has been successful despite -- or because of -- taking extreme positions and disdaining diplomatic language, and barring a good reason to stop, will probably continue to do so.

It would be amiss to pass over Zhirinovsky's rumored longstanding connections with the KGB. Though he rejects such allegations, his education at Moscow University's prestigious Institute of Oriental Languages and his employment at the Soviet Peace Committee -- both of which have long been associated with the KGB -- raise doubts about his denials.⁷ Observers have maintained ever since Zhirinovsky's emergence into politics that he was a KGB creation. Galina Starovoitova, a member of the USSR Supreme Soviet and the Russian Supreme Soviet, and former advisor to both Presidents Gorbachev and Yeltsin, said publicly in Washington on December 14 that Zhirinovsky's LDP was established by the KGB and the former speaker of the Soviet parliament, Anatoly Lukyanov (who was indicted for his involvement in the August 1991 Moscow putsch).⁸ St. Petersburg Mayor Anatoly Sobchak told a Russian newspaper in early January that Zhirinovsky is a captain in the KGB active reserve, and that the LDP had been created at the behest of former Soviet President Gorbachev.⁹ Zhirinovsky also had enough money (reportedly some \$850,000) to purchase quite a lot of very expensive television airtime during the campaign, which he used brilliantly. The source of his finances is unknown but many doubt his claims that most funding came from individuals.¹⁰ But even if Zhirinovsky and his party were thought up and financed in Dzerzhinsky Square, he may have slipped beyond his creators' grasp.

Most alarming about Zhirinovsky, of course, are not his statements, slogans or policy prescriptions, but that so many Russians voted for him. Optimists maintain that he embodied a protest against the impoverishment of many and the enrichment of a small class

⁷ Victor Yasmann and Elizabeth Teague, "Who is Vladimir Zhirinovsky?" RFE/RL Research Institute, December 16, 1993.

⁸ Lukyanov was elected to the Duma on the Communist Party ticket, as was another of the coup plotters, Vasily Starodubtsev, who won a seat on the Agrarian Union's party list. (Galina Starovoitova made the remarks at a Heritage Foundation roundtable).

⁹ RFE/RL Daily Report, January 12, 1994.

¹⁰ The Central Election Commission has promised to investigate the finances of all the parties and candidates, which could damage Zhirinovsky if it turned out he received money from abroad in contravention of the election law. But other parties and candidates would probably also have reason to fear such inquiries.

of entrepreneurs and criminals (and their government-bureaucratic partners). These grievances could at least be addressed, although probably at the cost of diluting or modifying reform programs, or much enhanced aid from abroad (a bleak prospect). To the extent that Zhirinovsky represented a howl against the upsurge in crime and a lost sense of order in Russian society, this, too, would be easily understandable, though it is unclear how safety and old certainties could be restored. But a desire on the part of Russia's electorate to regain lost empire, even at the cost of risking nuclear war, cannot be mollified. If such sentiments inspire the electorate and influence policy-making, Russia's hopes of reform will founder and its relations with its neighbors and the rest of the world will deteriorate.

In any case, Zhirinovsky's showing, though sobering, does not reveal the broad support announced by horrified analysts as soon as the results became known. With about 15 percent of the *Duma*, the LDP has influence, but the party is at present merely a backdrop to Zhirinovsky. If he gains authority, the LDP will, too; but if he is discredited, the "Liberal Democratic Party" will have to create an identity apart from its ringmaster. And Zhirinovsky, to judge by his antics and ravings in the *Duma*, could also self-destruct.

Russia's Choice leader, Yegor Gaidar, in early January urged opening proceedings against Zhirinovsky on charges of "warmongering," forbidden by Russian law. Should the authorities ever decide to act against him, the constitution provides another possible course of attack: Article 13 bans associations (including political parties) that inflame social, racial, national and religious antagonism. Article 29 strengthens the proscription by forbidding propaganda or agitation that excites such hatred or enmity.

Economic Policy

Boris Yeltsin has some difficult decisions to make. He must choose among contradictory counsel from economists and advisors, who propose to address the concerns of voters either by moderating or accelerating the pace of economic reforms. Both are risky gambles: Ukraine's economic disaster graphically illustrates the drawbacks of too little reform, while the shadow of Zhirinovsky hangs over the consequences of too much. Especially problematic is the provision of subsidies to agriculture and industry. Though Russia has passed a bankruptcy law, no large enterprises have yet gone under. Should thousands of workers become unemployed, they might find Zhirinovsky's simplistic and brutal solutions appealing.

Prime Minister Chernomyrdin has publicly called for a slowdown, arguing the period of "market romanticism" is over, while Finance Minister Fedorov threatened that what he called the "Ukrainization" of Russia's economy would force him to resign. Yegor Gaidar has already resigned from the government, in protest against the announced economic union of Russia and Belarus, and Yeltsin's plans for a new parliament building at a cost of \$500 million. Chernomyrdin, who has been gaining authority and power, seems well placed in the election's aftermath to implement his slowdown policies, which places in question the future of support from international lending organizations and Western governments.

Foreign Policy

A leitmotif of the campaign were complaints that Russians outside Russia were suffering discrimination, and that Russia was too accommodating to the West, especially the United States. Both of these concerns will now receive more official attention in Moscow.

At the December 24, 1993 meeting of the CIS in Ashgabat, Turkmenistan, Yeltsin requested "special status" for Russians living in the other former republics. His counterparts, the leaders of the other newly independent states, rejected the suggestion. Nevertheless, continued pressure from Moscow for some sanctioned role as protector of Russians or peacekeeper in ethnic conflicts is likely. Yeltsin himself first demanded such status in February 1993, long before anyone dreamed Zhirinovsky might do so well in elections. Foreign Minister Kozyrev went further in September, proposing that the United Nations actually pay for Russian peacekeeping operations.

True, some non-Russian peoples -- for example, Georgians, whose country has essentially suffered dismemberment with the aid of Russian military forces -- argue that Zhirinovsky merely espouses openly what has been taking place under the supposedly liberal government of Boris Yeltsin.¹¹ But such pressures probably will now become more overt and consistent; Yeltsin in his New Year's address specifically promised that Russia would defend Russians abroad in 1994 with "greater energy and decisiveness." On January 18, Kozyrev argued that the protection of Russians in the former Soviet republics is "one of Moscow's main strategic interests." He said that Russia should not withdraw from regions that had been in Russia's sphere of interest for centuries, and should maintain a military presence there to keep hostile forces from filling a "security vacuum."

Apart from trying to base troops throughout the entire former Soviet Union, a major thrust of Russian policy will be pressure on the other former republics to institute dual citizenship. Turkmenistan's President Niyazov has already yielded on this point. Especially interesting will be the situation in two other countries: Kazakhstan, where Zhirinovsky was born, and where President Nazarbaev has hitherto managed to walk the tightrope between Kazakh nationalism and Russian grievances; and Latvia, which is preparing a final version of its law on citizenship. Both have large Russian populations, who may now feel emboldened by the nationalist shift in Russian politics (the same applies to Crimea).

seem likely to outweigh those strategists who urge protecting through formal alliances the gains of democracy in that region. Barring more serious Russian provocations or pressure on its neighbors, the "Partnership for Peace" program seems as far as Washington will go in the foreseeable future. And elsewhere on the globe, the showing by Zhirinovsky and the communists lessen whatever slim chances existed for a deal with Japan on the Kuril Islands -- with attendant complications for economic assistance to Russia from Tokyo.

Implications for the United States

The electoral failure of the pro-Yeltsin reformers presents Washington with a dilemma similar to that facing Yeltsin: to urge continued or even accelerated economic reform, despite the obvious discontent of many Russian voters, in the hope of improving economic conditions for Russia's citizens; or to sanction a slowdown in the hopes of deflecting that discontent and thereby lessen political support for Zhirinovsky and the communists. An alternative program -- pressing for reform while helping to defray its effects through increased economic assistance -- is problematic for lack of resources. In fact, the resurgence of the communists and hardliners has already led some to protest the ongoing U.S. defense cutbacks. While the Clinton Administration initially seemed inclined to countenance some slowdown in economic reforms and to press international lending institutions to loosen their standards, subsequent statements have urged continued reform and emphasized the conditionality of U.S. assistance.

With respect to Russian policy in the "near abroad," Washington also faces a dilemma. Before the December 12 election, many commentators had warned of Russian aggressiveness in the other former republics, pointing to the role of Russian forces in the *de facto* dismemberment of Moldova and Georgia, the June coup d'etat in Azerbaijan, and Russia's involvement in Tajikistan, to the benefit of communist forces there. Zhirinovsky's showing puts the issue in sharper focus: to turn a blind eye to continuing Russian subversion of its neighbors, for fear of weakening Yeltsin further, or to shift gears and seek to bolster Russia's neighbors against intensified predatory and imperial instincts in Moscow through economic aid and public pressure on Moscow to respect their sovereignty? Many non-Russian former republics greatly fear Washington will adopt the former course, which might induce them to yield to Russian pressure. On the other hand, they could also consider creating their own security alliances. And despite recent agreements reached, Ukraine and perhaps Kazakhstan may be even more nervous about ceding their nuclear weapons to the country they view as the greatest threat to their sovereignty and independent statehood.

Finally, should Boris Yeltsin face parliamentary opposition and, failing to reach a compromise, try ruling by decree or even dissolve parliament, Washington will have to decide how far to back him. In post-election statements, Clinton Administration spokespersons have stressed U.S. support for the process of reform in Russia above the person of Boris Yeltsin. But such a policy will depend on specific circumstances, and Washington's perception of the relative danger to U.S. interests of positions taken by Yeltsin and by the parliament.

ABOUT THE COMMISSION

The Commission on Security and Cooperation in Europe, also known as the Helsinki or CSCE Commission, is a U.S. Government agency created in 1976 by Public Law 94-304 with a mandate to monitor and encourage compliance with the Final Act of the Conference on Security and Cooperation in Europe (CSCE). The Final Act was signed in Helsinki, Finland, on August 1, 1975, by the leaders of 33 European countries, in addition to the United States and Canada. The CSCE has also added many new members, including Albania, the Baltic States, and most newly independent states in Europe and Central Asia.

The Commission consists of nine members of the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff of approximately 15 persons assists the Commissioners in their work.

The Commission carries out its mandate in a variety of ways. In particular, it gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public and holds public hearings with expert witnesses focusing on these topics. In addition, Commission staff prepare reports on the implementation of CSCE commitments, particularly by the countries of East-Central Europe and the former Soviet Union but also on some other CSCE participating States, including the United States. Recent reports, for example, have extensively covered the elections in emerging democracies and newly independent states. The staff also prepare reports on specific CSCE meetings and efforts by the CSCE community to prevent and manage conflicts that arise in and among the participating States. The views and conclusions in these reports are those of the Commission and/or its staff.

At the same time, the Commission contributes its views in the general formulation of U.S. policy in the CSCE and takes part in its execution, including through Member and staff participation on U.S. delegations to CSCE meetings as well as on certain CSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from CSCE participating States. These contacts are maintained in Washington but also take the form of Commission delegations, usually with the participation of other Members of Congress, to other countries.